

REMARKS

Claims 1-37 were pending in the application. Claims 1-4, 6-10, 25-27, 29 and 35-36 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,099,408 to Schneier (hereinafter Schneier '408). Claims 5 and 30 stand rejected as being anticipated by or obvious over Schneier '408. Claims 11-24, 28, and 31-34 and 37 stand rejected under 35 U.S.C. § 103 as being unpatentable over Schneier '408 in view of U.S. Pat. No. 5,871,398 (hereinafter Schneier '398). Applicants respectfully traverse these rejections.

By way of the present amendment new claim 38 is being added.

Applicants appreciate the courtesy extended by the Examiner in the interview of November 25, 2003 in which claim 1 and Schneier '408 was discussed. Applicants note that no agreement was reached. The substance of the arguments presented during the interview is presented below.

With respect to claim 1, applicants respectfully submit that Schneier '408 fails to teach a first-type commit/reveal sequence that commits an outcome generator to a set of outcomes. In one embodiment of the invention a dealer (outcome generator) shuffles a deck of cards and commits to its order by communicating a secured encoding of deck order to the player. See page 2, paragraph 5 of the specification. Thus, in that particular embodiment, the set of outcomes committed to is deck order. See claim 36. The outcome generator may commit to other outcomes as described in the specification.

In contrast, Schneier '408 teaches at col. 9, lines 40-63 that the player random number and the game server random number are utilized to together generate the game result. However, there is no teaching that a set of outcomes has been committed to by the game server prior to generation of the result. In fact, no outcome is known until the combination protocol utilizing the game server random number and the player random number is employed. See col. 9, lines 35-38. Thus, although the game server in Schneier '408 commits to a random number, Schneier '408 does not teach that the game server random number (or the player random number) commits the game server to a set of outcomes until after the player random number is received.

The Office action points to col. 2, lines 2-5, col. 8, lines 36-39 and col. 13, lines 6-13 of Schneier '408 to support the assertion that Schneier '408 teaches committing an outcome generator to a set of outcomes. At col. 2, lines 2-5, Schneier discloses a random number generator but does not teach or suggest utilizing the random number to commit to a set of outcomes such as deck order. At col. 8, lines 36-39, Schneier '408 teaches generating a player random number but does not teach or suggest committing to a set of outcomes such as deck order utilizing the player random number. Finally at col. 13, lines 6-13, Schneier '408 teaches concatenation of player random numbers but that fails to teach or suggest committing an outcome generator to a set of outcomes.

Thus, although Schneier teaches utilizing both player and game server random numbers to generate a result, Schneier '408 fails to teach a random number (or hash value, etc.) that commits an outcome generator to a set of outcomes. Accordingly, applicants respectfully submit that claim 1 and all claims dependent thereon distinguish over the references of record, alone or in combination.

Further, applicants submit that Schneier '408 fails to teach executing the nested first- and second-type commit/reveal sequences recited in claim 1. The claim recites that the first-type commit/reveal sequence commits an outcome generator to a set of outcomes, and instances of the second-type commit/reveal sequence commit at least each player to a respective index contribution and only thereafter reveal the respective index contributions. The claim further recites selecting from the set of outcomes based on a predefined combination operation on the index contributions; and thereafter revealing the set of outcomes for validation thereof. In contrast, Schneier '408 teaches interleaving the commit/reveal sequences. For example, at col. 9, Schneier teaches that both the player and game server reveal the decoding keys prior to the game server committing to an outcome. Applicants reiterate their position that committing to a random number is not the same as committing to an outcome. In the Single Encoding Embodiments in col. 10, lines 40-65, the game server reveals its random number without encoding and therefore does not teach the commit/reveal sequence required by claim 1. In the Multiple Player Embodiments described in col. 12, lines 35 – col. 13, line 20, the players provide their random numbers first and thus that does not teach the commit/reveal sequence required by claim 1.

With regards to claim 11, Schneier '408 in combination with Schneier '398 does not disclose or suggest transformationally securing an encoding of a predetermined set of outcomes (such as deck order) or supplying one or more players with the transformationally secured encoding. Schneier '398 teaches at col. 15, line 61 to col. 16, line 12, that certain non-skill games have predetermined outcomes where the outcome appears random to the player but is not and games with predetermined outcomes such as video poker. Applicants respectfully submit that combining such a teaching with Schneier '408 does not make sense since Schneier '408 is addressed to ensuring that the play results are not fraudulent (See '408 Abstract), thus making video poker with predetermined outcomes unworkable in Schneier '408. The player random numbers in Schneier '408 are utilized to help generate the result. To the extent the result is predetermined as in Schneier '398, the combination with Schneier '408 is inoperative since the player random numbers effect the result. Nor is there any teaching or suggestion in Schneier '408 of transformationally securing an encoding of a predetermined set of outcomes of any of the games described in '398 and sending and supplying players with that encoding. Thus, applicants respectfully submit that claim 11 and all claims dependent thereon distinguish over the prior art of record, alone or in combination.

With regards to claim 20, applicants respectfully submit that none of the references of record teach receiving a transformationally secured encoding of a predetermined set of outcomes for a gaming transaction. As pointed out above neither Schneier '408 nor Schneier '398 teaches or suggests receiving a transformationally secured encoding of a predetermined set of outcomes. Accordingly, applicants respectfully submit that claim 20 and all claims dependent thereon distinguish over the references of record alone or in combination.

With regards to claim 25, applicants respectfully submit that Schneier '408 fails to teach a commitment sequence executable to supply one or more players with a transformationally secured set of outcomes. As pointed out above, Schneier '408 teaches supplying a game server random number but the game server random number is not used as a commitment sequence that supplies one or more players with a transformationally secured set of outcomes. Accordingly, applicants respectfully submit that claim 25 and all claims dependent thereon distinguish over the references of record.

With regards to claim 28 applicants respectfully submit, for reasons given in detail above, that none of the reference of record teaches receipt of a transformationally secured encoding of a predetermined set of outcomes. As pointed out with regards to claim 11, the references of record fail to teach a transformationally secured encoding of a predetermined set of outcomes (such as deck order). Accordingly, applicants respectfully submit that claim 28 distinguishes over the references of record.

With regards to claim 29 applicants respectfully submit that Schneier '408 nor any of the other references of record teach first instructions executable to supply one or more players with a transformationally secured set of outcomes. As pointed out above, the random number supplied by the game server does not describe a set of outcomes. Accordingly, applicants respectfully submit that claim 29 and all claims dependent thereon distinguish over the references of record.

With regards to claim 31 applicants respectfully submit that none of the reference of record teach transformationally securing a predetermined set of outcomes. As pointed out with regards to claim 11, the references of record fail to teach a transformationally secured encoding of a predetermined set of outcomes (such as deck order). Accordingly, applicants respectfully submit that claim 31 distinguishes over the references of record.

With regards to claim 35, applicants respectfully submit that Schneier '408 fails to teach a means for committing to a particular set of outcomes without revealing same. Schneier teaches generating a game server random number that is utilized to determine the result along with player random numbers, but the game server random number does not by itself commit the game server to a particular set of outcomes such as deck order.

New claims 38 is presented to recite the nested commit/reveal sequence from another perspective and is believed to distinguish over Schneier '408 because Schneier '408 does not teach the order of committing/revealing as recited in claim 38.

In view of the above amendments and remarks, claims 1-38 are believed allowable and applicants respectfully request a notice to that effect. Nonetheless, should any issues remain that the Examiner believes could be resolved via a telephonic interview, the Examiner may reach the undersigned at the number listed below.

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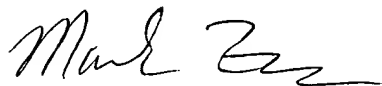
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Respectfully submitted,



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